

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(a)

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In Re:

DIANNA GUADAGNINO,

Debtor.

Chapter 11

Case No.: 17-12951(RG)

**APPLICATION FOR AN ORDER SHORTENING TIME PERIOD REGARDING
APPLICATION FOR ENTRY OF AN ORDER: (i) AUTHORIZING POST-PETITION
FINANCING; (ii) EXPUNGING VARIOUS JUDGMENT LIENS, AND (iii) GRANTING
RELATED RELIEF**

TO: Honorable Rosemary Gambardella, USBJ:

Dianna Guadagnino, through her undersigned counsel, submits this application for an order shortening time and respectfully submits as follows:

1. Dianna Guadagnino is the Chapter 11 debtor in the above captioned matter. Ms. Guadagnino has a hearing to confirm her Plan of Reorganization ("Plan") scheduled on November 28, 2018 at 11:00 a.m.

2. In order to facilitate confirmation of the Plan, Ms. Guadagnino submits this application pursuant to Section 105 of the Bankruptcy Code and Rules 2002(m) and 9006(c)(1) and (d) of the Federal Rules of Bankruptcy Procedure seeking the entry of an Order scheduling an expedited hearing on Ms. Guadagnino's motion ("Application") seeking the entry of an Order: (i) authorizing the Debtor to obtain post-petition financing in order to refinance M&T Bank's first

mortgage upon 287 Communipaw Avenue, Jersey City, New Jersey (the “Communipaw Property”); (ii) expunging various judgment liens upon the Communipaw Property; and (iii) granting related relief. The Application is submitted simultaneously herewith.

3. As set forth in the Application, M&T Bank opposes confirmation of the Plan, and is unwilling to negotiate with the Debtor in this regard. Consequently, refinancing M&T Bank’s first mortgage upon the Communipaw Property is expected to facilitate confirmation of the Plan.

4. Therefore, Ms. Guadagnino respectfully requests that this Court schedule an expedited hearing on the Application on the same date as the hearing to confirm the Plan (currently November 28, 2018).

APPLICABLE LAW

5. As the Court is aware, pursuant to Local Bankruptcy Rule 9013-2(a)(1) a motion ordinarily must be filed and served not later than 21 days prior to the hearing date. However, Local Rule 9013-2(c) authorizes the submission of an application for an order shortening time.

6. In addition, Bankruptcy Rule 9006(c)(1) authorizes this Court, in its discretion, to reduce the required notice periods for cause shown, which Ms. Guadagnino submits is demonstrated herein and in the Application. Moreover, Bankruptcy Rule 2002(m) authorizes the Court to enter orders designating the form and manner in which notices shall be sent.

WHEREFORE, Ms. Guadagnino respectfully requests the entry of an order scheduling an expedited hearing on the Application on the same date as the hearing upon confirmation of the Plan.

CULLEN AND DYKMAN LLP
Attorneys for Dianna Guadagnino

Dated: November th 14, 2018

By: /s/David Edelberg, Esq.
David Edelberg, Esq.